



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
1 CENTRE STREET
NEW YORK, N.Y. 10007-2341

WILLIAM C. THOMPSON, JR.
COMPTROLLER

Date: Aug 15th / 2006

INSTRUCTIONS FOR FILING A NOTICE OF CLAIM

RECEIVED
CITY OF NEW YORK
COMPTROLLER
2006 AUG 15 PM 1:57
CENTRAL RECORDS
BUREAU OF INFORMATION SYSTEMS

Under Section 50-e of the General Municipal Law, all tort claims against the City of New York should be filed with:

The New York City Comptroller's Office
1 Centre Street - Room 1225
New York, New York 10007

The Notice of Claim must be in writing. You may use the attached form or a similar format. The Notice of Claim must be notarized and served *personally* or by *certified mail* within 90 days from the date of the occurrence.

Tort claims against the below named authorities should NOT be filed with the Comptroller's Office but instead, directly with the particular authority:

NYC Transit Authority
Triboro Bridge and Tunnel Authority
MABSTOA
OTB
NYC School Construction Authority

NYC Housing Authority
Board of Higher Education
Port Authority
Battery Park City Authority

Local Law No. 82 of 1979 provides, in part:

"No Civil action shall be maintained against the City for damage to property or injury to person or death sustained in consequence of any street or sidewalk...being out of repair...unless it appears that written notice was actually given to the Commissioner of Transportation or any person or department authorized by the commissioner to receive such Notice (Department of Transportation, 40 Worth Street, NYC 10013) or where there was previous injury to person or property as a result of the existence of the defective, unsafe, dangerous or obstructed condition and written notice thereof was given to a City agency, or there was written acknowledgement from the City of the defective condition...and there was a failure to neglect within fifteen days after the receipt of such Notice to repair or remove the defect...or the place otherwise made reasonably safe."

Please note that it is a criminal offense to file a false claim.

RECEIVED
CITY OF NEW YORK
COMPTROLLER
2006 AUG 15 PM 1:57
CENTRAL RECORDS
BUREAU OF INFORMATION SYSTEMS

PERSONAL INJURY
This claim must be filed in person or by registered or certified mail within 90 days from the date of occurrence at the Office of the Comptroller, Municipal Building, Room 1225, 1 Centre Street, New York, N.Y. 10007.

I, The Comptroller of the City of New York: I herewith present my claim against the City of New York.

Name of Claimant		Last	First	Age	Date of Birth	Month	Day	Year
KRAFT		TIMOTHY	64	1942	12	25	1942	
Address		City (Borough)		State	Zip	Home Phone		
14 E. 28th		N.Y.		N.Y.	10016	646-279-1166		
Date of Accident	5/18/06	Exact Location of Accident		BELLERUE HOSP 15th A. 28th S. N.Y.				
Time	() AM () PM	Describe how Accident Happened:		Was taken to Bellevue Psychiatric against my will and kept far beyond 72 hrs. without any logical or psychiatric reason.				
Was There a Witness to Accident?		If Yes, Give Name		LAST		FIRST		
Yes		DR. JURICH		JACK				
Address & Phone No. of Witness:								
NUMBER & STREET		CITY (BOROUGH)		STATE	ZIP	Phone Number		
135 W. 23rd St.		N.Y.C.		N.Y.	10011	212-255-6632		
Were Police Present at the Accident Scene? Yes () No ()								
P.O. Shield #		PRECINCT #		Accident Report #				
N/A		N/A		N/A				
MEDICAL INFORMATION								
Where Was First Medical Treatment Received?				Date Of First Treatment:				
Was Claimant Taken To Hospital By Ambulance? () Yes () No				If Yes, Give Dates Treated In Emergency Room? () Yes () No		Admitted To Hospital? From 5/18/06 To 5/23/06		
Name of Treating Physician:				BELLERUE HOSP.				
Address Of Doctor:				15th A. 28th S. N.Y.				
Describe your injury in detail:				HELD AGAINST MY RIGHTS LONG AFTER 72 HR. LIMIT WITHOUT ANY CAUSE OR REASONING (SEC 9.40 MENTAL HYGIENE LAW)				
Status At Time of Accident () Employed () Housewife () Retired				If Employed, Weekly Salary		Number of Working Days Lost, If Any		
Employer's Name				N/A		N/A		
Employer's Address				Social Security #		Amount Of Pay Lost (if any)		
N/A				054-34-1020		N/A		
Number & Street		City (Borough)		State	Zip	Phone		
N/A		N/A		N/A	N/A	N/A		
Amount of Doctor Bills If Any		Are Bills Submitted With This Claim? Yes () No ()						
N/A		N/A						
Amount of Hospital Bills If Any		Are Hospital Bills Submitted With This Claim? Yes () No ()						
N/A		N/A						
COMPLETE THIS SECTION IF ACCIDENT INVOLVED NYC OWNED VEHICLE								
Was Claimant the Owner of Vehicle? () Yes () No		Owner's Name						
Involved in Collision? () Yes () No		Last		First		State		
Owner's Address:		City (Borough)		State	Zip	Was Claimant the Driver () Yes () No? Passenger () Yes () No? of the Vehicle?		
Number & Street		N/A		N/A	N/A	N/A		
Name of NYC Driver:		Last		First		NYC License Plate Number		
N/A		N/A		N/A		N/A		
Employed By (Provide Name of City Agency):		Last		First		TOTAL AMOUNT CLAIMED FOR DAMAGES, LOSSES AND EXPENSES		
N/A		N/A		N/A		N/A		
Date		Signature of Claimant		X				
Aug. 15th, 2006		N/A		N/A				

STATE OF NEW YORK
COUNTY OF

I, TIMOTHY KRAFT, being duly sworn deposes and says that I have read the foregoing NOTICE OF CLAIM and know the contents thereof; that same is true to the best of my knowledge, except as to the matters here stated to be alleged upon information and belief, and as to those matters, I believe them to be true.

Signature of Claimant X

IF CLAIM IS NOT SETTLED, YOU MUST START A LEGAL ACTION WITHIN ONE YEAR AND 90 DAYS FROM THE DATE OF ACCIDENT

Sworn to before me this 15th day of August, 2006
Signature of Notary Public
RICHARD B. MINOR
Notary Public, State of New York
Reg. No. 04M16147382
Qualified in New York County
Commission Expires June 5, 2010

NOTARY PUBLIC STAMP

Nov. 2nd, 2006

Claim # 2006 P1021508

Office Of The Comptroller
The City Of New York
c/o Benjamin Samuel

Re: File documents discussed on the phone.

Dear Mr. Samuel:

Enclosed you will find the key documents from my file, plus, a letter of denunciation from Dr. Jack Jurich who has years of experience dealing in these matters.

He has worked in two-hospitals and is also familiar with myself.

Furthermore, you can see that Dr. Kramer's reasoning for keeping me was bogus to say the least.

First of all there was no assault because there were no marks on either one of us and that explains why there wasn't any arrest made nor did the police accompany us to the hospital.

I'd also like to mention that the man in the wheelchair is a phony collecting checks for a disability he doesn't have; many people in my building are aware of the fact that he's quite mobile, in fact, he got out of the wheelchair after pursuing me up the block, then slapping me in the face.

Also, I was brought to the hospital for pushing the assistant manager of my residence, which is an apartment building; by the way; I have a lease, I did push him, but it was a response in kind, nevertheless, once I arrived at the hospital a caseworker for some in the building including the man in the wheelchair, but not me, misrepresented herself as being my caseworker, in which, I don't have any, but this seemed to give her credibility with the doctors in the emergency room. *She pulled a switch and now the case in point was the man in the wheelchair, instead of the push, which was absurd to begin with.* She told the doctors that I could not return to the building; she also said this to the police earlier.

I'd also like to bring to your attention that The EMS Workers DID NOT want to take me, but Ms. Neri made such a stink of it that they called Their SUPERVISOR who exclaimed, "Let the doctors over their decide"! And that's how I wound up at Bellevue.

In closing, I'd like to mention that the owner of my building is married to Dr. Lloyd Sederer, The Deputy Commissioner On Mental Hygiene in this city as you're probably aware of. She also sits on the board of directors of CUCS the agency Ms. Neri works for, not to mention the fact, that she also houses employees of Bellevue, including, Anthony Stamatouras, who lives in apartment 513 which is located in my building, and just happened to be working on 18 west where I was kept; this I found odd, to say the least, not to mention the conflicting interest.

Finally, Dr. Haddad, who, by the way overruled Dr. Amy Cohen who wanted to release me, even though he had never met me as yet, his excuse being that Neri told him that it was not safe for me to return to the building because there were threats against me. I replied, if that's the case then I should be released and they should be brought here. I then asked, doesn't that sound bogus? he replied, "I admit it does, but I want to keep you a little longer."

I think Bellevue was trying to act on the building's behalf at my expence and this is a no-no.

Sincerely,



Timothy Kraft

14 East 28th Street, NYC, NY 10016
(Apt: 630) Tel: 646-279-1166
krafttimothy@yahoo.com

P.S. Haddad said that he would keep me 72 hrs. and
he violated that. See Sections 9.39 + 9.40 of the Mental
Hygiene Laws.

Note: I included my complaint report to police; if I
was the perp then why would I have been issued this?

Please Reply.

Also, I never admitted to a psychiatric history and ~~lieng~~
knows that; when he asked, I told him I had never ~~been~~
under a psychiatrist care which is the truth.

Also, I am not a manic depressive in any way shape or form;
that's why there's no medication.

And finally, finally, I never said that I was extremely abusive;
~~that's~~ I said that I was very detailed.

Jack Jurich, Ph.D.

Clinical Psychology

135 W.23rd St. #314

New York, NY 10011

Phone: 212-255-6632

MYS License: 014799

07/27/06

To Whom It May Concern,

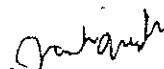
This letter is in regard to Mr. Timothy Kraft's Bellevue hospitalization. Mr. Kraft has been a patient in my care for 1x weekly psychotherapy, since 2000 and I do not agree with the diagnosis that was given to the patient at the time of discharge from Bellevue.

Furthermore, Dr. Haddad took liberties in the patient's file about what I had discussed with him on the telephone, which seems inappropriate behavior on his part.

Also, the mental status exam conducted by Dr. Mallloy on 5/18/06 seems inadequate grounds to have held Mr. Kraft for any further observation.

Lastly, the statement in the discharge summary that I "agreed with the impression of the staff here at Bellevue that the patient can be quite irritating and needling of authority and that this resulted in conflicts at the hotel" is inaccurate. The only thing discussed that was remotely similar to this statement is that I mentioned Mr. Kraft has a history of getting into disputes with the management at his residence.

Sincerely,



Jack Jurich, Ph.D.

TREATMENT PLAN

ise Formulation and Rationale for Admission
for Records: () None () Requested, not received at this time

psycho/social Formulation
cent casual chain leading to current presentation
y must rx proceed in the hospital?
at clinical objective might be achieved in 2-3 weeks?

645736

KRAFT, TIMOTHY

01/25/02 Reviewed

ACT 26110379 05/18/05

PCP

ATT GREENBERG ELI

64 yo M w hx hyperlipidemia and 1 past hx who was involved in physical altercation w man in wheelchair + building manager at Prince George today. Pt states that the man was verbally harassing him + that the man punched him first. He says the bldg manager shoved him + so he shoved him back. A case worker at Prince George states that the pt was unprovoked and that he has a hx w Prince George of being paranoid, irritable and follows staff around. On interview, pt was circumstantial + overinclusive with pressured speech. He denies that he was at fault in the altercation and that he does not need to be on a P ward. He exhibited signs of grandiosity, saying that he was a star in high school, that prostitutes would offer to be with him for free, and that he writes excellent screen plays + novels. He denies SI/HI/PI/AVH. Our assessment is that due to pt's physical, unprovoked per case worker, assault on man + bldg manager that he should be placed in the EOU.

problems: Agitation
Hypomania

causes: Pt's agitation may be related to argument or, if

Plan: unprovoked, may be biologic or characterologic.

- EOU His hypomania appears biologic. Rx substance induced

- attempt to get collaterals

- consider starting Depakote or a benzodiazepine - pt declined

- haldol + ativan prn agitation

- CXR

- Labs - CBC, LFTs, RPR, TSH

Signature: Rochelle L. Maly MS3

Print/MD# Rochelle L. Maly MS3

Attending: [Signature]

Print/MD# EW Wasy MS

IV Diagnosis

k Primary diagnosis

Axis I	<u>MOD d/d NR</u>	Code	<u>None</u>
	<u>v/o bipolar d/o</u>	Code	
	<u>v/o major depressive d/o</u>	Code	
	<u>v/o SPD</u>	Code	
Axis II	<u>affected</u>	Code	
	<u>narcolepsy</u>	Code	
		Axis IV	<u>on welfare</u>
		Axis V (GAF)	<u>35</u>



INCIDENT INFORMATION SLIP

PD 301-164 (Rev. 3-98)-Pent (RMU)

48hrs

Date: 5/18/06

Welcome to 13 PCT. 230 EAST 21 STREET, NYC, NY 10010 212-477-7416 or 417
 (Command) (Address) (Telephone No.)

We hope that your business with us was handled satisfactorily. Your particular matter has been assigned the following number(s):

Complaint Report No.: 4418 Accident Report No.: _____ Aided Report No.: _____

Reported to: PO BAZA Date of Occurrence: 5/18/06 Time: 1700
 (Rank) (Name) (Shield No.)

Location of Occurrence: 14 E 28

Crime: HARRASSMENT

Please keep this report should you have to refer to this matter in the future. If you need any further assistance feel free to

contact us at telephone number _____. Please let us know if you have any suggestions on how we can

better serve you. As you may already know, we will provide you with a crime prevention survey of your residence or business.

Please ask for more information on this and other crime prevention initiatives. Our goal is to make you and your property safe.

COURTESY — PROFESSIONALISM — RESPECT

REMEMBER: CALL "911" FOR EMERGENCIES ONLY!!!!

Fri, 23 Jun 06 1450

Page 1 of 5

Bellevue Hospital Center
Chart Review Print

Location	Patient Name	Patient Number	Visit Number	Age	Sex
DIS-18W-50-B	Kraft, Timothy	645736	645736-11	64Y	M

Attending Physician
Leingang, Terrance A

Unscheduled Discharge Summary

Event Time: Tue, 23 May 06 0000

Status: complete

Fri, 26 May 06 1247 Documented by

Attndg Physician: Terrance A Leingang, MD
 Dictated By : Terrance A Leingang, MD
 Discharge Date : 23May2006
 Dictation Date : 25May2006
 Xscription Date : 26May2006
 Report :

PSYCHIATRIC DISCHARGE SUMMARY

Patient:
Kraft, Timothy

Medical Record No:
064 57 36

Age:	Sex:	Ward:	Date Adm:	Disch
Date:				
64	M		05/18/06	05/23/06

HISTORY OF PRESENT ILLNESS: This is the first psychiatric admission for this 64-year-old white male who was brought to the hospital by emergency medical services from the Prince George Hotel Residence. The patient had reportedly shoved a manager of the hotel precipitating the call to police and then subsequently to EMS. The patient also had reportedly assaulted another client of the residence who was wheelchair bound. The patient himself admitted to much of the above history. However, he claimed that this other resident frequently harasses him by calling him names by shit head. On the day of admission, the patient said he left the hotel lobby and this patient in the wheel chair again called him names. The patient proceeded to walk down the street but he was claimed to be pursued by the man who had an electric powered wheelchair. He says that the man in fact assaulted him and that he returned the punch. Later back in the lobby of the hotel room they continued to argue. Someone from the hotel management apparently came between them. The patient said that this manager shoved him, so the patient shoved him back. This was the incident that resulted to his being brought to the hospital. Upon

Fri, 23 Jun 06 1450

Page 2 of 5

Bellevue Hospital Center
Chart Review Print

Location	Patient Name	Patient Number	Visit Number	Age	Sex
DIS-18W-50-B	Kraft, Timothy	645736	645736-11	64Y	M

Attending Physician
Leingang, Terrance A

Unscheduled Discharge Summary -- cont'd

admission to the hospital, the patient was somewhat agitated and somewhat hyperactive.

→ PAST PSYCHIATRIC HISTORY: He admitted to a past psychiatric history, which included only outpatient therapy. The patient denied any substance or alcohol abuse.

COURSE IN THE HOSPITAL: The patient was not started on any medications. He supplied the name of his outpatient psychologist who was a Dr. Jack Gurich at telephone number 212-255-6632. Dr. Gurich confirmed much of the patient's history. He noted that he had been seeing him on an outpatient basis in psychotherapy for the past five to six years. Additionally, he had known the patient who was being seen in a clinic situation prior to seeing Dr. Gurich on a private basis. According to Dr. Gurich, the patient had never been prescribed medications and had never been hospitalized. He did say that he believed that the patient once received a prescription for Xanax to be taken on a p.r.n. basis but as far as he knows the patient never took the Xanax. He described the patient as having narcissistic with strong obsessional trends. He agreed with the impression of the staff here at Bellevue that the patient can be quite irritating and needling of authority and that this resulted in conflicts at the hotel. The Prince George is staffed by the CUCS. The treatment team received a call from Stacy Neri of the CUCS at the Prince George. She requested to discuss the patient. The patient however, did not give permission to discuss his case with anyone from CUCS. The patient noted that the CUCS staffs the hotel but that he is not under their care. This was discussed with Ms. Neri who confirmed that their services in the Prince George Hotel are voluntary and that the patient has not accepted their services. She appeared to be aware that the patient has an outpatient treatment team but she was not in contact with them. Curiously, Dr. Gurich said that he had had some contact sometime ago with staff of the CUCS, but not Ms. Neri. Ms. Neri faxed a number of documents describing the difficulties that the hotel had encountered

Fri, 23 Jun 06 1450

Page 3 of 5

Bellevue Hospital Center
Chart Review Print

Location	Patient Name	Patient Number	Visit Number	Age	Sex
DIS-18W-50-B	Kraft, Timothy	645736	645736-11	64Y	M

Attending Physician
Leingang, Terrance A

Unscheduled Discharge Summary -- cont'd

in dealing with the patient. These were largely about the patient's verbal harassment. She also described the incident with the man in the wheelchair as unprovoked. It was also suggested that a staff member at the Prince George had gotten an order of protection against the patient as he had been giving this staff member unwanted attention. The patient himself denied this. He said that it was a rumor that there was an order of protection against him. He said in fact this was not the case and that he had a letter at home, which in fact was a letter of apology from the management of the Prince George about the circulation of the rumor that there was an order of protection. An examination of the records sent by CUCS did list the police report of the harassment which was referred to, however, consistent that the patient had said this statement from the police notes that there is no order of protection. Nonetheless, the above was discussed with the patient. The patient agreed that he tended to be very obsessional and precise in his thinking and to get perhaps overly focussed on details of the management of the building that in turn resulting in conflicts with the management and with CUCS. The patient gave us an example his determining that mail was being handled inappropriately in the Prince George Hotel when he arrived there three years ago, specifically, the mail which is placed on the lobby desk and then sorted by someone in the management of the Prince George. The patient noted that he and other residents at times felt that the mail was stolen or missing. The patient took it upon himself to approach postal officials. The patient claims that they sent an investigator who had determined that in fact the mail was being handled inappropriately. As a result of this, two mail delivery boxes were placed outside the Prince George, which are now functioning to sort out the mail in a more appropriate manner. The patient took some satisfaction in this and likely was correct in his analysis. However, such behavior would likely result in conflicts with the management of the hotel.

During the time at the hospital, the patient was not

Fri, 23 Jun 06 1450

Page 4 of 5

Bellevue Hospital Center
Chart Review Print

Location	Patient Name	Patient Number	Visit Number	Age	Sex
DIS-18W-50-B	Kraft, Timothy	645736	645736-11	64Y	M

Attending Physician
Leingang, Terrance A

Unscheduled Discharge Summary -- cont'd

treated with medication. He was generally appropriate. He did show strong obsessional trends and paranoid trends in his thinking and also a narcissistic quality. This was consistent with Dr. Gurich's impression. Later in hospitalization, Ms. Neri from CUCS called once again. She noted that her director was requesting that there be a case conference about the patient. It was noted by Ms. Neri that the patient had not given permission to discuss his case with CUCS and also the CUCS was not in fact an official provider of services to him. Therefore, he was curious that her director was asking for a case conference. Ms. Neri further stated that they needed a case conference before he would be allowed to return to the hotel. It was suggested to Ms. Neri once again that they were not a provider for this patient and they had no authority over the patient's return to the hotel. Nonetheless, the issues of potential conflict were discussed with the patient and the patient verbalized his agreement that he would try to curtail his interactions with CUCS and with the building management. As the patient was not deemed to be a danger (to himself or others), was verbalizing commitment to continue in outpatient treatment and to address these issues in his outpatient treatment, the patient was discharged back to his residence.

MENTAL STATUS ON DISCHARGE: The patient was alert, oriented x3, and his memory was grossly intact. His affect was slightly elevated, generally appropriate. His mood was neutral. In his thinking, he was reasonably well organized but with obsessional and paranoid trends. He was not delusional, hallucinating, suicidal or assaultive. His insight and judgment were reasonably intact.

FINAL DIAGNOSES: Axis I: ^{Psychotic} ~~Psychotic~~ Psychotic disorder.
Axis II: Personality disorder with obsessional, paranoid, and narcissistic trends.
Axis III: Hyperlipidemia and increased glucose.
Axis IV: Conflicts with staff at the Prince George Residence.
Axis V: GAF was 30 on admission, 60 on discharge.

Fri, 23 Jun 06 1450

Page 5 of 5

Bellevue Hospital Center
Chart Review Print

Location	Patient Name	Patient Number	Visit Number	Age	Sex
DIS-18W-50-B	Kraft, Timothy	645736	645736-11	64Y	M

Attending Physician
Leingang, Terrance A

Unscheduled Discharge Summary -- cont'd

DISPOSITION: The patient returned to live at the Prince George.

REFERRAL: Referral is back to Dr. Jack Gurich.

MEDICATIONS ON DISCHARGE: There were no medications given on discharge.

Dr. Terrence Leingang

D: 05/25/06

T: 05/26/06

CMAG/DIV/TL

06-01066100

* * * End of Report * * *

Tim KRAFT CASE # 2006P1021508
14 E. 28th St, N.Y.C., N.Y. 10016 (APT: 630)



03 NOV
2006

Office of the Comptroller
The City of New York
1 Centre Street, New York,
N.Y., 10007-2341

Attn: Benjamin Samuel

1000731562 0017

